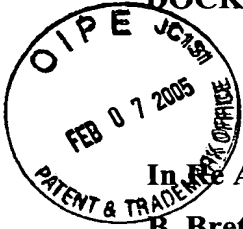


PCW
Receipt

DOCKET NO.: UBCV-0006

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Application of:

B. Brett Finlay and Andrew A. Potter

Confirmation No.: 9198

Application No.: 10/039,760

Group Art Unit: 1645

Filing Date: January 3, 2002

Examiner: Khatol S. Shahnan Shah

For: ENTEROHEMORRHAGIC ESCHERICHIA COLI VACCINE

DATE OF DEPOSIT: February 2, 2005

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

TYPED NAME: Andrew T. Serafini
REGISTRATION NO.: 41,303

Office of Initial Patent Examination
Customer Service Center
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attention:

REQUEST FOR CORRECTED FILING RECEIPT

1. Attached is a copy of the Corrected Filing Receipt received from the PTO in the above application for which issuance of a Corrected Filing Receipt is respectfully requested. The requested changes are noted thereon, as well as listed below.

A copy of the Substitute Declaration and Power of Attorney document correctly identifying inventor B. Brett Finlay is attached as well as a copy of the transmittal letter for the Missing Parts response filed on April 24, 2002 indicating the filing fees submitted to the U.S. Patent and Trademark Office for filing of the above-identified application.


2. There is an error with respect to the following data which is:

- ☒ incorrectly entered; and/or
☐ omitted.

Error in	Correct data
1. Applicant's name	1. B. Brett Finlay
2. Applicant's address	2.
3. Title	3.
4. Filing Date	4.
5. Application Number	5.
6. Foreign/PCT Application Re:	6.
7. Other: a) Filing Fee Received b) Attorney Docket No.	7. a) \$645.00 b) UBCV-0006

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

Date: **February 2, 2005**


Andrew T. Serafini
Registration No. **41,303**

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/039,760	01/03/2002	1645	4429 645	0003-0004 HBCV-0006	9	34	5

23377
 WOODCOCK WASHBURN LLP
 ONE LIBERTY PLACE, 46TH FLOOR
 1650 MARKET STREET
 PHILADELPHIA, PA 19103



CONFIRMATION NO. 9198

CORRECTED FILING RECEIPT

OC000000014933022

OC000000014933022

Date Mailed: 01/12/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

3. Brett Finlay, British Columbia, CANADA;
 Andrew A. Potter, Saskatchewan, CANADA;

Power of Attorney: The patent practitioners associated with Customer Number 23377.

Domestic Priority data as claimed by applicant

This appln claims benefit of 60/259,818 01/04/2001

Foreign Applications

If Required, Foreign Filing License Granted: 03/25/2002

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/039,760**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ******Title**

Enterohemorrhagic escherichia coli vaccine

Preliminary Class

424

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

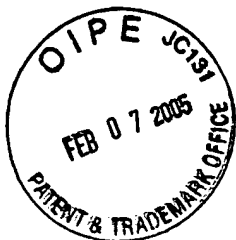
The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

DOCKET NO.: UBCV-0006

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Brett Finlay and Andrew A. Potter

For: ENTEROHEMORRHAGIC ESCHERICHIA COLI VACCINE

SUBSTITUTE DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

The above identified application is a:

(check one applicable item below)

- | | |
|---|---|
| <input checked="" type="checkbox"/> Original | <input type="checkbox"/> Divisional |
| <input type="checkbox"/> Continuation | <input type="checkbox"/> U.S. National Stage of PCT |
| <input type="checkbox"/> Continuation-in-Part | |

My full name (including family name and at least one given name without abbreviation), full post office address, city and state of actual residence and citizenship are as stated below.

I believe that the named inventor(s) is/are the original, first of the subject matter which is claimed and for which a

- | | |
|--|--|
| <input checked="" type="checkbox"/> Utility Patent | <input type="checkbox"/> Design Patent |
|--|--|

is sought on the invention, whose title appears above, the application of which:

- | |
|---|
| <input type="checkbox"/> is attached hereto |
| <input checked="" type="checkbox"/> was filed on January 3, 2002 , as U.S. Application Number 10/039,760 |
| <input checked="" type="checkbox"/> and was amended on December 2, 2003 , and September 9, 2004 |
| <input type="checkbox"/> was described and claimed in PCT International Application Number _____, filed on _____ and as amended under PCT Article 19 on _____ and/or PCT Article 34 on _____. |

I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to the patentability of this application in accordance with 37 CFR § 1.56.

**DISCLOSURE AND/OR CLAIM FOR PRIORITY UNDER
35 U.S.C. §§ 119(a)-(d) OF FOREIGN APPLICATIONS FOR PATENT (OR
INVENTOR'S CERTIFICATE FILED WITHIN 12 MONTHS (6 MONTHS FOR
DESIGN) OF THIS APPLICATION**

I hereby claim foreign priority benefits under Title 35, United States Code §§ 119(a)-(d) of any foreign applications for patent, inventor's certificate or PCT international application designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent, inventor's certificate or any PCT international application designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

Country (or indicate if PCT)	Application Number	Date of Filing (day, month, year)	Priority Claimed Under 37 USC § 119a-d			
			<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
			<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
			<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
			<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

**DISCLOSURE OF FOREIGN APPLICATION(S) IF ANY,
FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN)
PRIOR TO THE FILING OF THIS APPLICATION**

Country (or indicate if PCT)	Application Number	Date of Filing (day, month, year)

**CLAIM FOR PRIORITY OF UNITED STATES APPLICATIONS
OR PCT APPLICATIONS FILED
IN THE UNITED STATES RECEIVING OFFICE
UNDER 35 U.S.C. § 120**

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date Filed	Status Patented/Pending/Abandoned

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)
UNDER 35 U.S.C. § 119(e)**

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Provisional Application No.	Filing Date
60/259,818	January 4, 2001

POWER OF ATTORNEY

- ☒ I hereby appoint all the practitioners associated with Customer Number 23377 (which is the Customer Number assigned to Woodcock Washburn LLP) to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith. Each practitioner associated with Customer Number 23377 is an attorney registered before the United States Patent and Trademark Office.

23377

PATENT TRADEMARK OFFICE

- ☐ I hereby appoint the following persons of the firm of WOODCOCK WASHBURN LLP, One Liberty Place - 46th Floor, Philadelphia, Pennsylvania 19103 as attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Attorney/Patent Agent	Registration No.

Address all telephone calls and correspondence to Customer Number: **23377**

DOCKET NO.: UBCV-0006

- 5 -

PATENT

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first joint inventor

B.

(Given Name)

Brett

(Middle Initial or Name)

Finlay

(Family or last name)

City/State of Actual Residence: Richmond, British Columbia, Canada

Mailing Address:

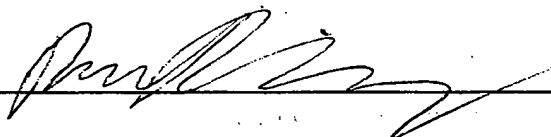
(include street address, city, state,
and zip code)

8491 Seafair Drive

Richmond, British Columbia, Canada, V7C 1X7

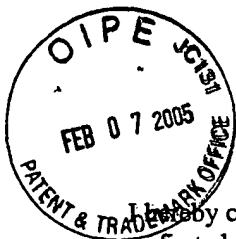
Country of Citizenship: Canada

Inventor's signature: _____



Date: _____

11/4/04



Atty Dkt 9003-0001
PATENT

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on 24 April 2002.

4/24/02
Date

Susan LaMont
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

FINLAY et al.

Confirmation No.: 9198

Serial No.: 10/039,760

Group Art Unit: 1653

Filing Date: January 3, 2002

Examiner: Unassigned

Title: ENTEROHEMORRHAGIC ESCHERICHIA COLI VACCINE

TRANSMITTAL LETTER

Assistant Commissioner for Patents
Box Missing Part
Washington, D.C. 20231

Sir:

This is in response to the Notice to File Missing Parts dated March 26, 2002.

Transmitted herewith for filing are the following documents: a copy of the Notice to File Missing Parts; Combined Declaration and Power of Attorney signed by the inventors; and a Blanket Petition for Extension of Time and Authorization to Charge or Credit Deposit Account. Applicants claim small entity status. Also enclosed is a check in the amount of \$645 (surcharge, \$65; statutory basic filing fee, \$370; additional claim fees, \$210) to cover the fees required.

The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-1648.

Respectfully submitted,

Date: 4/24/02

By: [Signature]
Roberta L. Robins
Registration No. 33,208

ROBINS & PASTERNAK LLP
545 Middlefield Road, Suite 180
Menlo Park, CA 94025
Telephone: (650) 325-7812
Fax: (650) 325-7823